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 ORACLE AMERICA, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MICHAEL KATZ-LACABE, et al.,

 Plaintiffs,

 v.

 ORACLE AMERICA, INC., a corporation
 organized under the laws of the State of Delaware,

 Defendant.

Case No. 3:22-cv-04792-RS

**STIPULATION AND
 [PROPOSED] ORDER TO
 EXTEND PLAINTIFFS' TIME TO
 AMEND THEIR COMPLAINT
 AND DEFENDANT ORACLE
 AMERICA, INC.'S TIME TO
 RESPOND OR OTHERWISE
 MOVE TO DISMISS
 PLAINTIFFS' FIRST AMENDED
 COMPLAINT**

Judge: Hon. Richard Seeborg

Date Action Filed: August 19, 2022
 Trial Date: Not set

Pursuant to Civil Local Rule 6-2(a), Plaintiffs Michael Katz-Lacabe, Dr. Jennifer Golbeck, and Dr. Johnny Ryan and Defendant Oracle America, Inc., by and through their attorneys of record, stipulate as follows:

WHEREAS, this Court granted in part and denied in part Oracle's Motion to Dismiss the Complaint on April 6, 2023 (ECF No. 49) and ordered Plaintiffs to file an amended Complaint by May 8, 2023 (*id.*);

WHEREAS, on April 20, 2023, the Court approved the parties' stipulated briefing schedule for Oracle's anticipated motion to dismiss Plaintiffs' amended Complaint (ECF No. 51);

WHEREAS, on April 24, 2023, Oracle requested a two-week extension to respond to Plaintiffs' Interrogatories (Set One), which response is currently due May 1, 2023;

WHEREAS, on April 26, 2023, Plaintiffs, as a professional courtesy and in order to accommodate Oracle's request, agreed to extend Oracle's interrogatory response deadline from May 1, 2023 to May 15, 2023, subject to a reciprocal extension on Plaintiffs' deadline to file an amended Complaint, currently due on May 8, 2023, given the potential relevance of Oracle's interrogatory responses to Plaintiffs' allegations in the amended Complaint;

WHEREAS, the parties further agreed to a corresponding adjustment to Oracle's deadline to respond to Plaintiffs' remaining claims and, if Plaintiffs file an amended Complaint, the briefing schedule for Oracle's anticipated motion to dismiss, by two weeks:

Filing Event	Current Deadline	Extended Deadline
Amended Complaint	May 8, 2023	May 22, 2023
Motion to Dismiss	June 14, 2023	June 28, 2023
Opposition	July 21, 2023	August 4, 2023
Reply	August 15, 2023	August 29, 2023
Hearing	September 21, 2023 at 1:30 p.m.	October 5, 2023 at 1:30 p.m.

NOW, THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, that:

1. Plaintiffs shall file an amended Complaint, if any, on or before May 22, 2023;

2. Oracle shall file its motion to dismiss Plaintiffs' amended Complaint or, if Plaintiffs do not file an amended Complaint, respond to the Complaint on or before June 28, 2023;

3. Plaintiffs shall file their opposition to Oracle's motion to dismiss on or before August 4, 2023;

4. Oracle shall file its reply in support of its motion to dismiss on or before August 29, 2023;

5. Oracle shall notice its motion to dismiss for hearing on October 5, 2023 at 1:30 p.m., or on a date or time otherwise directed by the Court.

Dated: April 27, 2023

LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP

By: /s/ David T. Rudolph

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***Attorneys for Plaintiffs
Michael Katz-Lacabe, Dr. Jennifer
Golbeck, and Dr. Johnny Ryan***

Dated: April 27, 2023

MORRISON & FOERSTER LLP

By: /s/ Purvi G. Patel

Purvi G. Patel

***Attorneys for Defendant
Oracle America, Inc.***

ECF ATTESTATION

I, Purvi G. Patel, am the ECF User whose ID and password are being used to file this **STIPULATION AND [PROPOSED] ORDER TO EXTEND PLAINTIFFS' TIME TO AMEND THEIR COMPLAINT AND DEFENDANT ORACLE AMERICA, INC.'S TIME TO RESPOND OR OTHERWISE MOVE TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT.** In accordance with Civil L.R. 5-1(i)(3), concurrence in and authorization of the filing of this document has been obtained from David T. Rudolph, counsel for Plaintiffs, and I shall maintain records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party.

Dated: April 27, 2023

MORRISON & FOERSTER LLP

By: /s/ Purvi G. Patel

Purvi G. Patel

***Attorneys for Defendant
Oracle America, Inc.***

[PROPOSED] ORDER

Pursuant to the parties' stipulation, the Court hereby orders as follows:

1. Plaintiffs shall file their amended Complaint, if any, on or before May 22, 2023;
2. Oracle shall file its motion to dismiss Plaintiffs' first amended Complaint or, if Plaintiffs do not file an amended Complaint, respond to the Complaint on or before June 28, 2023;
3. Plaintiffs shall file their opposition to Oracle's motion to dismiss on or before August 4, 2023;
4. Oracle shall file its reply in support of its motion to dismiss on or before August 29, 2023;
5. Oracle shall notice its motion to dismiss for hearing on October 5, 2023 at 1:30 p.m., or on a date or time otherwise directed by the Court.

IT IS SO ORDERED.

Dated: _____

Honorable Richard Seeborg
United States District Court Judge